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FEB 8 1984  
Utah Department of  
Environmental Health

February 6, 1984

Calvin K. Sudweeks  
Executive Secretary  
Utah Water Pollution Control Committee  
150 West North Temple  
P.O. Box 2500  
Salt Lake City, UT 84110-2500

Re: Kinetic Minerals, Inc.

Dear Mr. Sudweeks:

This letter is written on behalf of Kinetic Minerals, Inc. in response to the "Notification of Violation, Order to Cease and Desist, and Order for Information" issued by the Utah Water Pollution Control Committee on January 23, 1984. Much of the information requested by you is contained in a letter dated February 3, 1984, from Howard F. Bovers, President of Kinetic Minerals, Inc. to Scott J. Thorley, Iron County Attorney (a copy of that letter is enclosed). However, the following information is provided in specific response to the Order for Information contained in the January 23, 1984 notification.

1. Kinetic Minerals, Inc. is aware of no discharge from the milling operations at the Stateline Mine in Iron County, Utah to other than approved locations except as the result of a leak in the drainage line to the tailings pond on November 18, 1983.

2. Approximately 2,000 gallons of water was pumped from the pregnant solution tank at the mill operation into the tailings pond drainage pipe before the leak was discovered. Pumping was

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halted immediately upon discovery of the leak and no further waste water was pumped into the drainage line. Although the exact quantity of waste water which leaked from the drainage pipe is not known, it is believed that a substantial portion of the 2,000 gallons leaked from the drainage pipe onto the surrounding ground area and possibly into the adjacent creek.

3. Immediately after discovery of the leak, the plant superintendent drove to the nearest town where he purchased 12 gallons of Chlorox (12 percent solution of sodium hypochloride). The superintendent returned to the milling operation site that same afternoon and applied the Chlorox to the remaining liquid in the pregnant solution tank, the ground area around the leak, and the creek at the area where any runoff might have drained into the creek. The next day, the plant superintendent purchased 6 gallons of swimming pool chlorine (approximately 60-65% chlorine) and distributed the chlorine in the same locations as he had distributed the Chlorox.

4. The discharges were caused by a leak in the drainage pipe to the tailings pond which was the result of freezing temperatures.

5. The person who was in charge of the operation when the leak was discovered was La Var Hollingshead, plant superintendent. No individual caused or authorized any improper discharge.

6. The results from tests of samples taken by Kinetic Minerals, Inc. are set forth on Exhibit A attached hereto.

7. In order to prevent any such discharges in the future, Kinetic Minerals, Inc. intends to repair the tailings pond drainage pipe before conducting any additional operations and to carefully test and inspect the drainage pipe before its use after any adverse weather conditions involving freezing temperatures.

Since the incident which seems to have given rise to this matter occurred on November 18, 1983, and since Kinetic Minerals, Inc. has received no information as to any actual or potential harm to vegetation, wildlife or human life except for the general unsupported statements contained in the letters of January 16 and 17 from the Iron County Attorney, we would appreciate very much being provided with information which provides the basis for the Notification issued by you and referred to above. We would be particularly interested in any alleged harm

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to vegetation, wildlife or human beings as well as the results of any tests of alleged contaminated discharge water. With regard to those tests, we would like to know when and where they were taken and the names of any individuals who might have been present when the samples were taken.

Finally, Kinetic Minerals, Inc. hereby exercises its right to appeal the order referred to above and would like for you to consider this letter as its written application for a hearing before the Utah Water Pollution Control Committee at the earliest appropriate time.

If you have any questions, I would be happy to discuss these matters with you further.

Sincerely,

RAY, QUINNEY & NEBEKER

  
J. Michael Kelly

JMK/sbg

cc: Howard Bovers  
Fred Nelson

## EXHIBIT A

<u>Sample No.</u>	<u>Date Sample Taken</u>	<u>Location of Sample</u>	<u>Test Result</u> <u>Cyanide - PMM</u>
1	01/24/84	Creek above mill	< .004
2	01/24/84	Creek below mill	< .004
3	01/24/84	Mud where creek exits from old tailings pond	.089
4	01/24/84	Below new tailing pond	.054
5	11/18/83	Pregnant solution tank	.025